IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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FRIDAY, THE TENTH DAY OF MARCH

TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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WP.No.758 OF 2006

Between:

Nadimpalli Rangaraju & Ors. … Petitioners

Versus

Mandal Revenue Officer,

Mudinepalli Mandal,

Krishna district & Ors. … Respondents

Counsel for the Petitioner: Sri TVS Prabhakar Rao

Counsel for the Respondent: GP for Revenue

O R D E R :

The case of the petitioners is that they are the owners in possession of the land in various extents; namely, the first petitioner is in possession and enjoyment of the land in an extent of Acs:2-50 cents in survey nos.744/8, 756/4 & 5 under patta no.78/1402, dated 22-10-2002; the second petitioner is in possession and enjoyment of the land in an extent of Acs:2-28 cents in survey no.733/1 & 3 under patta no.80/1402 dated 22-10-2002; the third petitioner is in possession and enjoyment of the land in an extent of Acs:2-61 cents in survey no. 7562, 3 & 6 under patta no.79/1402 dated 22-10-2002; the fourth petitioner is in possession and enjoyment of the land in an extent of Acs:2-32 cents in survey no.744/1, 3 & 6 under patta no.76/1402 dated 24-10-2002 and the fifth petitioner is in possession and enjoyment of the land in an extent of Acs:1-62 cents in survey no.733/4 & 5 under patta no.77/1402 dated 22-10-2002 respectively.

It is stated that the first respondent without initiating any proceedings against the petitioners and without issuing any notice, interfering with the possession and enjoyment of the petitioners and threatening to dispossess them.

As the said lands are assigned lands and the petitioners are in possession and enjoyment

of the lands and if the petitioners have contravened the provisions of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 the only course open for the respondent is to follow due process of law under the provisions of the said Act for resumption of the land.

Having regard to the facts and circumstances, without going into the merits of the writ petition, I consider it appropriate to direct the respondents not to interfere with the possession and enjoyment of the petitioners over the property in question, i.e., in respect of their lands covered by the aforesaid patta passbooks, without following the due process of law.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

MARCH 10th, 2006. ----------

Is L. V. ESWARAIAH , J.